

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SOLAS OLED LTD.,

Plaintiff,

V.

SAMSUNG DISPLAY CO., LTD.,
SAMSUNG ELECTRONICS CO., LTD.,
and SAMSUNG ELECTRONICS
AMERICA, INC.,

Defendants.

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Civil Action No. 2:19-cv-00152-JRG

REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE (LETTER ROGATORY)

The United States District Court for Eastern District of Texas presents its compliments to the appropriate Judicial Authority in Japan and has the honor to request your competent Court by directing its constable or bailiff to serve the enclosed documents pertaining to a civil dispute on Casio Computer Co., Ltd. ("Casio") to be used in the civil proceedings before this court in the above captioned matter.

I. REQUEST FOR JUDICIAL ASSISTANCE

The undersigned, Honorable Rodney Gilstrap, District Judge for the United State District Court for the Eastern District of Texas, requests the assistance described herein as necessary in the interests of justice. In particular, the undersigned requests that you cause, by your proper and usual process, to allow representatives of Defendants Samsung Display Co., Ltd., Samsung Electronics Co., Ltd., and Samsung Electronics America, Inc. (collectively, “Defendants”) to obtain documents and deposition testimony from the following foreign third party:

Casio Computer Co., Ltd. ("Casio")
6-2, Hon-machi 1-chome, Shibuya-ku
Tokyo 151-8543, Japan

The evidence sought is outlined in Attachment A. **Responses returned to this Court may be submitted as evidence at trial and may be necessary for the conclusion of this proceeding.**

As allowed by international laws of Japan, please have all returned evidence verified and/or certified as to completeness and authenticity.

If any portion of this Request is deemed to be unacceptable under the laws of Japan, please disregard that portion and continue to comply with as much of the Request as legally permissible.

II. FACTS OF THE CASE

Plaintiff Solas OLED Ltd. (“Solas” or “Plaintiff”) alleges infringement of United States Patent Nos. 7,446,338, and 6,072,450 (collectively, the “Patents-in-Suit”) by Defendants. The Patents-in-Suit were originally assigned to Casio. Each of the inventors named on the faces of the Patents-in-Suit were employed by Casio at the time of the alleged conception and reduction to practice of the subject matter of the Patents-in-Suit. Solas then acquired the Patents-in-Suit from Casio on April 11, 2016.

Casio possesses unique information concerning the research and development of the subject matter claimed in the Patents-in-Suit, including the facts and circumstances surrounding the alleged conception and reduction to practice of the subject matter of the Patents-in-Suit. Defendants further believe that Casio is knowledgeable about any public use of the subject matter of the Patents-in-Suit, including the publication of the subject matter of the Patents-in-Suit and sale or offer for sale of products embodying the subject matter of the Patents-in-Suit. Defendants further believe that Casio has information concerning the licensing and valuation of the Patents-in-Suit.

III. EVIDENCE TO BE OBTAINED

The evidence to be obtained are identified in Attachment A. It is respectfully requested that a judicial authority of Japan order Casio to produce copies of documents and other property

as described in Attachment A. It is additionally requested that a judicial authority of Japan compel Casio to make available a suitable representative to provide testimony regarding the deposition topics set forth in Attachment A.

IV. PROTECTIVE ORDER

In this matter, a Protective Order has been entered that governs the production of documents, testimony and any record of the testimony. A copy of this order is attached hereto for your reference as Attachment B. Because this action involves confidential and proprietary business information, the Protective Order serves to protect such information from public disclosure. Any responses to this Letter, which may be used as evidence in the above-captioned litigation, will be designated as appropriate under the Protective Order.

V. URGENCY

A response is requested by March 6, 2020, or as soon as practicable. Expedient treatment of this request will allow the parties to obtain and review the produced documents and obtain testimony before the cutoff of fact discovery in this matter.

VI. RECIPROCITY

The United States District Court for Eastern District of Texas is willing and able to provide similar assistance to the judicial authorities of Japan, should a similar Request for International Assistance be received from those authorities.

VII. REIMBURSEMENT FOR COSTS

Should there be any costs associated with the service herein, it will be the responsibility of the attorneys for Samsung to reimburse the appropriate Judicial Authority in Japan concerning the same. Please direct any correspondence or communications concerning costs to:

Daniel W. Cho
Covington & Burling LLP
850 10th St. NW

Washington, DC 20001 USA
Telephone: +1 (202) 662-5451
Email: dwcho@cov.com

Date: _____

The Honorable Rodney Gilstrap
UNITED STATES DISTRICT
JUDGE EASTERN DISTRICT OF
TEXAS

(SEAL OF COURT)

100 E. Houston St. Marshall, TX 75760